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UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN FRANCISCO DIVISION

PLANNED PARENTHOOD FEDERATION OF
 AMERICA, INC.; PLANNED PARENTHOOD:
 SHASTA-DIABLO, INC. dba PLANNED
 PARENTHOOD NORTHERN CALIFORNIA;
 PLANNED PARENTHOOD MAR MONTE, INC.;
 PLANNED PARENTHOOD OF THE PACIFIC
 SOUTHWEST; PLANNED PARENTHOOD LOS
 ANGELES; PLANNED
 PARENTHOOD/ORANGE AND SAN
 BERNARDINO COUNTIES, INC.; PLANNED
 PARENTHOOD OF SANTA BARBARA,
 VENTURA AND SAN LUIS OBISPO
 COUNTIES, INC.; PLANNED PARENTHOOD
 PASADENA AND SAN GABRIEL VALLEY,
 INC.; PLANNED PARENTHOOD OF THE
 ROCKY MOUNTAINS; PLANNED
 PARENTHOOD GULF COAST; AND PLANNED
 PARENTHOOD CENTER FOR CHOICE;

Plaintiffs,

v.

CENTER FOR MEDICAL PROGRESS; BIOMAX
 PROCUREMENT SERVICES, LLC; DAVID
 DALEIDEN (aka "ROBERT SARKIS"); TROY
 NEWMAN; ALBIN RHOMBERG; PHIL CRONIN;
 SANDRA SUSAN MERRITT (aka "SUSAN
 TENNENBAUM"); GERARDO ADRIAN LOPEZ; and
 UNKNOWN CO-CONSPIRATORS, inclusive,

Defendants.

Case No. 3:16-cv-00236-WHO

**STIPULATION AND [PROPOSED]
 ORDER**

Date:
 Time:
 Place:

Judge: Hon. William H. Orrick, III

STIPULATION AND [PROPOSED] ORDER

Plaintiffs Planned Parenthood Federation of America, Inc.; Planned Parenthood: Shasta-Diablo, Inc. dba Planned Parenthood Northern California; Planned Parenthood Mar Monte, Inc.; Planned Parenthood of the Pacific Southwest; Planned Parenthood Los Angeles; Planned Parenthood/Orange and San Bernardino Counties, Inc.; Planned Parenthood of Santa Barbara, Ventura and San Luis Obispo Counties, Inc.; Planned Parenthood Pasadena and San Gabriel Valley, Inc.; Planned Parenthood of the Rocky Mountains; Planned Parenthood Gulf Coast; and Planned Parenthood Center for Choice (“Planned Parenthood Plaintiffs”) and defendants Center for Medical Progress (“CMP”); BioMax Procurement Services, LLC (“BioMax”); David Daleiden; Troy Newman by and through their counsel, stipulate as follows:

On July 31, 2015, *NAF, et al. v. CMP, et al.* matter, Case No. 3:15-cv-3522-WHO (N.D. Cal.) (“NAF Case”) was filed. The Parties exchanged discovery material subject to a protective order. (“Protected Material”). The Parties subsequently filed briefs concerning NAF’s Motion for Preliminary Injunction (“Motion”). The Parties filed their briefs and supporting materials relating to the Motion under seal because they contained Protected Material (“Sealed Materials”). The Court granted the parties’ various administrative motions to seal. NAF Case Document Nos. 252 and 355.

On January 14, 2016 *Planned Parenthood Federation Of America, Inc., et al. v. Center for Medical Progress, et al.*, 3:16-cv-00236 WHO (N.D. Cal.) (“Planned Parenthood Case”) was filed. Planned Parenthood subpoenaed the materials produced by NAF defendants. On May 10, 2016, the Court denied Defendants motion to quash Plaintiffs’ subpoena, and ordered that Planned Parenthood Plaintiffs would be bound by the NAF Protective Order with respect to any and all uses of the materials produced by NAF. On July 5, 2016, the Court amended the NAF Protective Order to allow NAF to share work product containing Protected Material with Planned Parenthood Plaintiff’s counsel. PP Case Doc. 105.

Planned Parenthood Plaintiffs desire to have access to the Sealed Materials. No confidentiality interest is impaired by granting Planned Parenthood access in light of the fact that

1 Planned Parenthood counsel has already had access to the underlying Protected Materials and is
2 subject to the NAF protective order in connection with review of that material.

3 Plaintiffs' counsel has conferred with counsel for NAF and confirmed that NAF does not
4 object to this Order;

5 Therefore, IT IS HEREBY STIPULATED AND AGREED, and for good cause shown:

6 1. The Order On Administrative Motions To Seal granting Motions to Seal is
7 amended to allow Planned Parenthood counsel to review the Sealed Materials.

8 2. Access to the Sealed Materials shall be limited to (1) Plaintiffs' outside counsel and
9 its staff to whom disclosure is reasonably necessary for the purpose of this litigation and (2)
10 Plaintiffs' in-house counsel who are counsel of record and their staff to whom disclosure is
11 reasonably necessary for the purpose of this litigation.

12 3. All those having access to the Sealed Materials shall be bound by the NAF
13 Protective order.

14
15 Dated: July 17, 2018

Respectfully submitted,

ARNOLD & PORTER LLP

17
18 By: /s/ Amy L. Bomse
Amy L. Bomse

19 Attorneys for Plaintiffs

20 Dated: July 17, 2018

THOMAS MORE SOCIETY

21 By: /s/ Thomas Brejcha
22 Thomas Leonard Brejcha, Jr.
23 Peter Christopher Breen

24 Attorneys for Defendant
DAVID DALEIDEN

25
26 Dated: July 17, 2018

AMERICAN CENTER FOR LAW AND JUSTICE

27 By: /s/ Edward L. White
28 Edward L. White, III

Erik Michael Zimmerman

Attorneys for Defendant
TROY NEWMAN

Dated: July 17, 2018

FREEDOM OF CONSCIENCE DEFENSE FUND

By: /s/ Charles LiMandri
Jeffrey M. Trissell
Charles S. LiMandri

Attorneys for Defendant
CENTER FOR MEDICAL PROGRESS AND
BIOMAX PROCUREMENT SERVICES, LLC

ATTESTATION

Pursuant to Local Rule 5-1, I, Amy L. Bomse, attest that all signatories listed, and on whose behalf the filing is submitted, concur in the filing's consent and have authorized the filing.

/s/ Amy L. Bomse
AMY L. BOMSE

[PROPOSED] ORDER

IT IS HEREBY ORDERED that:

1. The Order On Administrative Motions To Seal granting Motions to Seal is amended to allow Planned Parenthood counsel to review the Sealed Materials.

2. Access to the Sealed Materials shall be limited to (1) Plaintiffs' outside counsel and its staff to whom disclosure is reasonably necessary for the purpose of this litigation and (2) Plaintiffs' in-house counsel who are counsel of record and their staff to whom disclosure is reasonably necessary for the purpose of this litigation.

3. All those having access to the Sealed Materials shall be bound by the NAF Protective order.

DATED:

The Hon. William H. Orrick
Judge of the United States District Court